



American Postal Workers Union, AFL-CIO

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July 29, 2009

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Article 15 - 15 Day statement

VIA FACSIMILE AND CERTIFIED MAIL

Mr. Doug Tulino
Vice President, Labor Relations
U.S. Postal Service, Room 9014
475 L'Enfant Plaza
Washington, DC 20260

Re: Article 15 Statement of Issues and Facts, Article 4, Technological and
Mechanization Changes Notice – eCBM Testing (Notification No.
GCCT20082) APWU No. HQT-20092; USPS #Q06T-4Q-C08415845

Dear Mr. Tulino,

In the above-referenced case, a dispute was initiated on February 23, 2009 in accordance with Article 15 of the 2006-2010 Collective Bargaining Agreement.

Article 15 provides that within 15 days after a dispute has been initiated, each party shall provide the other with a statement in writing of its understanding of the precise issues involved, and the facts giving rise to such issues. Time limits were extended by mutual agreement with July 31, 2009 set for the exchanging of 15 day statement of facts.

The following is the APWU's statement of issues and facts concerning this case.

It is the position of the APWU that the incorporation and application of the newly developed e-CBM is a violation of the Collective Bargaining Agreement, dated November 21, 2006, including, but not limited to Article 7.2, 19, 38, EL-201 and BQ Net (Qualification Standards, formerly EL-303).

The position descriptions of both, the Maintenance Mechanic, PS-6/7 and Mail Processing Mechanic, PS-9 contain no language to perform the work associated with the Maintenance Support Clerk functions of data input or other reference to work performed by the Maintenance Operations Support Clerk. The position description of the Electronic Technician, PS-10 only contains a reference to initiate a work order and this is completed by contacting the Maintenance Support Clerk to request that a work order be written and distributed to the appropriate category of employee to perform the repair task and this continues under the e-CBM concept.

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The position description of the Maintenance Mechanic, PS-6/7 does not utilize a computer as a portion of their qualification (reference BQ-Net) factors and to instruct them to do so violates the rate of compensation for the position description of Maintenance Mechanic, PS-6/7 for the assigned tasks.

Per discussions from members in the field, we are also being told that when these e-CBM routes are ascertained (via printed hard copy, PDA, etc.), there is no reference to the minimum skill level (MSL) for the tasks as assigned which is a direct violation of National Arbitrator Shyam Das' award in case(s) Q98C-4Q-C00183263 and Q98C-4Q-C01002200 which resolved the dispute of proper work assignments for employees' of the Maintenance Division, APWU, AFL-CIO.

It is the understanding of the APWU that the USPS has made these changes as a result of Technological and Mechanization changes. The APWU disagrees with this assessment. The USPS has initiated several notices relating the concept of Condition Based Maintenance using predominantly the exact same run-time data and/or Mail pieces processed to determine the severity of the work necessary on all frequencies assigned. The USPS has not demonstrated any new technology or information relative to establish an Article 4 notification.

The USPS has also stated that this change should not have any significant impact to the bargaining unit as the Service estimates that these changes will only remove approximately 5 minutes of work from the MOS operations, but that no additional time will be added to the staffing criteria for the occupational groups where the duties will be added. This statement is simply false as each employee who is assigned a particular piece of equipment to service must log-in to the USPS Blue page to access and download the run time and/or piece data in order to establish what needs to be completed and none of this information is instantaneously accomplished, so clearly additional work hours will be utilized for every employee who is assigned this additional work.

Per previous discussions and on-going deployment of the e-CBM concept, the APWU and the USPS has agreed to certify this dispute for all pieces of equipment subsequently put on-line for application of e-CBM in the future.

As to the remedy of the violation, the APWU respectfully requests that the Service rescind this change, compensate each and every Maintenance Operation Support clerk for all lost work hours associated with the re-assignment of MOS duties to other occupational groups in order to comply with the instructions of the USPS and make the union whole in all aspects of the grievance procedure, to include the hiring of additional MOS operations personnel in any facility which lost positions as a result of this change, loss of union dues to both the National and Local APWU.

Sincerely,



Gregory B. See
Assistant Director